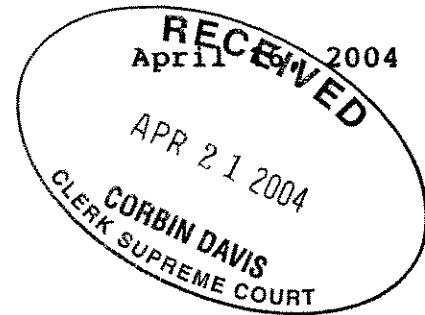


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Michigan Supreme Court
Clerk's Office
PO Box 30052
Lansing, MI. 48909



RE: Proposed Amendments to court rules
Supreme Court ADM File No. 2003-04

Dear Justices:

I am writing with regards to certain portions of the proposed amendments to the court rules.

It is my intention to draw your attention to several Proposed Amendments that would re-create havoc in an already disorderly process. I will proceed accordingly, but only in part.

A. Proposed Amendment to MCR 6.004(D).

It is not becoming of this State to enact such a rule that will disrupt a defendant's rights, rights governing due process of law and statute's of limitations.

B. Proposed Amendments to MCR 6.006; 6.610(F).

I strongly feel that video conferencing is inappropriate for evidentiary hearings. For the judge to properly determine the credibility of a witness, the trier of fact(s) should be able to see the entire person, in three dimension. Also, where credibility is a concern, the parties as well as the tier of fact must have police reports, witness statements, etc & etc... The defendant has certain rights that shouldn't become fine-lined, "[t]o be informed of the nature and cause of the accusation; to be confronted with witnesses against him...". The U.S. Supreme court has warranted, criminal prosecutions must comport with prevailing notions of 'fundamental fairness', California v Trobetta, 467 US 479, 485; 104 SCt 2528 (1984). I believe that Michigan is already faced with caseloads involving Brady violations, therefore it is clear that we cannot depend upon Prosecution (police) to provide defenant's with exculpatory nor impeachment evidence.

C. Proposed Amendment to MCR 6.110(B).

I believe it is the court's duty to ensure that justice is upheld as well as applied effectively. I further believe that any Constitutional violation is never harmless, the moment we begin dictating to persons that their rights are in terms worthless, we have destroyed the very spirit thereof. Much like

other proposed rules, this also is violative of long standing law. Gerstein v Pugh, 420 US 103(1975). Michigan court's cannot continue taking two steps backwards behind they are secure enough to take one forward.

D. Proposed Amendments to MCR 6.110(C)&(D).

The rules of evidence and Fourth Amendment protections are two important tools to ensure that a preliminary examination is fair and just, for the most part. i believe in the cases of deceptive police witnesses, a defendant would not be able to challenge the illegal inadmissable drummed-up evidence, thus establishing a due process violation and cruel and unusual punishment inflicted by the state.

In conclusion, any type of limitations that precludes justice, justice never existed within those set boundaries.

Sincerely,

W. J. J. J. J. 4/17/09